E-Filed: January 14, 2014

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

The United States of America for
the Use and Benefit of HAROLD E.
NUTTER & SON, INC., a California
corporation,

Plaintiff(s),

v.

K.O.O. CONSTRUCTION, INC.,
et al.,

Defendant(s).

CASE NO. 5:13-cv-04853

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the
following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

☐ Non-binding Arbitration (ADR L.R. 4)
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
☐ Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is
appreciably more likely to meet their needs than any other form of ADR must participate in an
ADR phone conference and may not file this form. They must instead file a Notice of Need for
ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

Private Process:

☒ Private ADR *(please identify process and provider)* Private mediation with
agreed upon mediator.

The parties agree to hold the ADR session by:

☐ the presumptive deadline *(The deadline is 90 days from the date of the order
referring the case to an ADR process unless otherwise ordered.)*

☒ other requested deadline April 30, 2014

Murphy Austin Adams Schoenfeld LLP

Dated: January 13, 2014
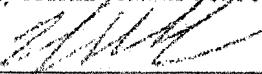
By: _____
Kenneth I. Schumaker, Attorney for Use-Plaintiff
Harold E. Nutter & Son, Inc.

Downey Brand LLP

Dated: January 13, 2014

By: _____
Treven I. Tilbury, Attorney for Defendants
K.O.O. Construction, Inc. and Travelers Casualty
and Surety Company of America

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[PROPOSED] ORDER

☒ The parties' stipulation is adopted and IT IS SO ORDERED.
☐ The parties' stipulation is modified as follows, and IT IS SO ORDERED.

Dated: January 14, 2014
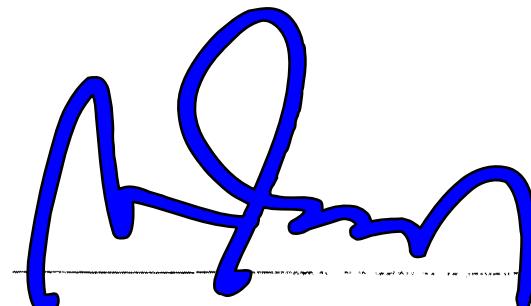
UNITED STATES MAGISTRATE JUDGE
HOWARD R. LLOYD

When filing this document in ECF, please be sure to use the appropriate Docket
Event, e.g., "Stipulation and Proposed Order Selecting Mediation."

Rev. 12/11